

TEMPORARY

NO. 72825-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 23 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 23 2005 under 72824-T

The applicant **Diamond Springs Ranch, Inc.** makes application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore changed under **Permit No. 50680, Certificate No. 14028**

1. The source of water is **Underground**
2. The amount of water to be changed **0.88 cfs**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T.25N., R.53E., M.D.B.&M., at a point from which the Southwest corner of said Section 5, bears S 39° 22' 02" W, 2786.99 feet.**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T.25N., R.53E., M.D.B. & M., at a point from which the Southwest corner of Section 32, T.26N., R.53E., M.D.B.&M. bears N 49° 38' 08" W, 3000.16 feet.**
7. Proposed place of use **portions of the S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 32, T.26N., R.53E., M.D.B. & M., and portions of the W $\frac{1}{2}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ of Section 5, T.25N., R.53E., M.D.B.&M. (305.92 acres to be Irrigated) (See attached sheet for description of acreage to be irrigated)**
8. Existing place of use **portions of the S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 32, T.26N., R.53E., M.D.B.&M., and portions of the W $\frac{1}{2}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ of Section 5, T.25N., R.53E., M.D.B.&M. (305.92 acres Irrigated) (24.77 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T.25N., R.53E., M.D.B.&M. to be removed from irrigation.) (See attached sheet for description of existing irrigated acreage)**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Well, Pump, Motor, Pipelines and Sprinkler system.**
12. Estimated cost of works **\$20,000.00**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **1 year**
(Continued on Page 3)

15. Remarks: This application is for a Temporary Permit

By Robert E. Morley, High Desert Engineering
s/ Robert E. Morley
640 Idaho Street
Elko, Nevada 89801

Compared lt/ gkl lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 50680, Certificate 14028 is issued subject to the terms and conditions imposed in said Permit 50680, Certificate 14028 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued totally supplemental to surface water under Proof of Appropriation 02432 and Permit 50075, Certificate 12333 except for 13.1 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$; 0.93 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$; 4.53 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$; 0.75 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$; 1.94 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$; 0.98 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$; 0.48 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$; 0.91 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$; and 0.60 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ all in Section 5 T.25N R.53E M.D.B.&M. and 0.23 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 T.25N R.53E for a total of 24.77 acres.

The total combined duty of water under Permits V02432, Permit 50075, Certificate 12333, 72824-T, 72825-T, 72826-T and 72827-T shall not exceed 932.25 acre-feet for the irrigation of 320.27 acres.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on June 30, 2006 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.88 cubic feet per second, but not to exceed 33.2 acre-feet annually, and not to exceed a yearly duty of 2.913 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 1st day of July A.D. 2005

By: Jason King P.E.
Deputy State Engineer, Jason King, P. E.

ATTACHMENT TO APPLICATIONS
EXISTING & PROPOSED PLACE OF USE COMPARISON
PERMITS 50077, 50680, 50682, 56151

					EXISTING	PROPOSED
1/4	1/4	SEC	TWP	RGE	AC.	AC.
NW	NW	5	25N	53E	11.84	24.94
NE	NW	5	25N	53E	42.34	43.27
SW	NW	5	25N	53E	18.17	22.70
SE	NW	5	25N	53E	37.47	38.22
NW	NE	5	25N	53E	0.00	1.94
SW	NE	5	25N	53E	0.00	0.98
NW	SW	5	25N	53E	29.67	29.67
NE	SW	5	25N	53E	39.18	39.66
SW	SW	5	25N	53E	11.44	11.44
SE	SW	5	25N	53E	18.51	19.42
NW	SE	5	25N	53E	15.95	16.55
SW	SE	5	25N	53E	25.00	0.78
SW	SW	32	26N	53E	10.68	10.68
SE	SW	32	26N	53E	32.71	32.71
SW	SE	32	26N	53E	12.96	12.96
TOTAL					305.92	305.92

Note: 0.23 Ac. of the 0.78 Ac. proposed to be irrigated within the SW1/4 SE1/4 of Section 5, T.25 N., R.53 E., M.D.B. & M. is existing supplemental acreage to the above listed permits and is to remain supplemental in its original location.